

**Standard USHC-2:** The student will demonstrate an understanding of the establishment of the United States as a new nation.

**USHC-2.4:** Summarize the creation of a new national government, including the new state constitutions, the country's economic crisis, the Founding Fathers and their debates at the Constitutional Convention, the impact of the Federalist Papers, and the subsequent ratification of the Constitution. (H, P)

**Taxonomy Level:** 2B Understand /Conceptual Knowledge

**Previous/future knowledge:**

In 4th grade, students classified government activities according to the three branches of government established by the United States Constitution and gave examples of the checks and balances that the Constitution provides among the branches (4-4.2). Also they explained the role of the Bill of Rights in the ratification of the Constitution (4-4.3). Students compared the roles and accomplishments of early leaders in the development of the new nation, including George Washington, John Adams, Thomas Jefferson, Alexander Hamilton, John Marshall, and James Madison (4-4.4).

In 8th grade, students summarized events related to the adoption of South Carolina's first constitution, the role of South Carolina and its leaders in the Continental Congress, the ratification of the United States Constitution and the importance of issues debated during the Philadelphia Convention for South Carolina (8-2.4).

In 12th grade government class, students will explain the organization and responsibilities of local and state governments, including the purposes and functions of state constitutions; reserve and concurrent powers in the states; the relationships among national, state, and local levels of government; and the structure and operation of South Carolina's government (USG – 3.2). They will also summarize the function of law in the American constitutional system, including the significance of the concept of the due process of law and the ways in which laws are intended to achieve fairness, the protection of individual rights, and the promotion of the common good (USG -3.3).

**It is essential for students to know:**

As a result of colonial experience with royal governors, **state constitutions** written during the Revolutionary War changed the colonial charters into constitutions with a strong legislative branch and a weak executive branch. Many states, however, amended their first constitutions or wrote new constitutions when this proved ineffective and strengthened the role of the governor.

**Economic crisis** that prompted change at the national level was the result of the breaking of the trade relationship with Great Britain. The British continued to pursue mercantilism and, since the United States was no longer a colony, cut off trade with the Americans. The resulting depression made it difficult for individuals to pay their mortgages and taxes which led to a rebellion in western Massachusetts [Shays' rebellion] Farmers marched to close the courts to prevent foreclosure proceedings on their farms. This unrest frightened many of the elite and prompted their support for a stronger national government that could preserve the peace. Many of the backcountry farmers feared a strong national government that might impose unfair taxes and foreclose on their farms when they could not pay their taxes.

The Confederation Congress authorized a meeting in Philadelphia to amend the Articles of Confederation. This Philadelphia convention had to write a new plan of government rather than amend the old because the Articles required unanimous consent for amendment and Rhode Island did not attend. Many of the **Founding Fathers** were state delegates to the Philadelphia convention. James Madison is

often referred to as the Father of the Constitution because he came to the convention with a plan (the Virginia Plan). George Washington presided as the president of the convention. Benjamin Franklin and Alexander Hamilton were also in attendance. (Thomas Jefferson and John Adams were not in attendance because they were serving as ambassadors for the United States.)

The writing of the Constitution was the result of compromises between those Founding Fathers (the writers are called the Framers) who wanted a stronger national government and those who feared losing some of their state's power. **Debates** over representation exemplify the fear that some states might get more power than others. Large states wanted to be represented based on population [Virginia Plan] while small states wanted to preserve their power and continue to have one vote per state [New Jersey Plan] as in the government under the Articles of Confederation. The compromise was a bicameral legislature in which each state has one vote in the Senate and representation in the House of Representatives is based on population [Connecticut Compromise or Great Compromise]. This led to debate about who should be counted for purposes of representation. Southern states wanted to count slaves; Northern states, many of which were in the process of gradually emancipating their slaves, did not want to give southern states this political advantage. The compromise was that slaves were to count  $\frac{3}{5}$  for the purposes of both representation and taxation; however, no taxes were levied based on the population of the states [3/5s Compromise]. Advocates of a strong national government wanted to give the national government control over international trade. Southern states feared that the national government dominated by northern states with little interest in slavery would abolish the slave trade. The compromise was that the national government could not regulate the slave trade for 20 years. The international slave trade was outlawed in 1808.

Other compromises were made to reassure delegates who feared giving too much power to the central government. Powers were separated between the three branches of government and a system of check and balances was devised so that no one branch could abuse its powers. Since delegates were concerned that the executive would become a king, most powers were delegated to Congress, the chief executive's term was limited to four years and the power of the executive was controlled through checks and balances. Delegates also feared the uncontrolled will of the people (mob) so they developed the electoral college to buffer the impact of the popular will on the election of the chief executive and devised a system for indirect election of Senators.

The Constitution was sent to special state conventions for **ratification**. The ratification of the Constitution was the result of compromise between those who wanted a stronger national government and those who feared it. Supporters of the constitution and a strong national government were called Federalists and represented the elites of the coastal areas. Opponents of the constitution became known as Anti-Federalists and were concentrated among the backcountry farmers who feared the power that the elites would have in a strong national government located far away from the influence of the people. Anti-Federalists believed that state governments would be more responsive to the needs of the people. Controversy centered on the lack of a bill of rights to protect the rights of the individual against an abusive government. Several states ratified only on the condition that a bill of rights would be added. ***The Federalist Papers***, written by Federalists Alexander Hamilton, John Jay and James Madison, explained the intentions of the Framers and continues to be an important source for understanding the constitution but had little impact on its actual ratification. It is important for students to understand that both Jefferson and Madison supported the ratification of the Constitution and so both were Federalists during this period.

**It is not essential for students to know:**

Students do not need to know details about the state constitutions. They do not need to know the name of the leader of the Massachusetts rebellion, Daniel Shays, or that the government of Massachusetts changed through popular election and rescinded many of the problems against which the farmers were revolting.

Students do not need to know of the meetings that preceded the convention at Philadelphia such as those at Mount Vernon and Annapolis. They do not need to remember that the meetings of the Philadelphia convention were closed and strict secrecy about the proceedings was required of the delegates. They do not need to know the many details of the debates including the names of the competing plans or those who championed them such as Edmund Randolph of Virginia or William Patterson of New Jersey. They do not need to know that the convention decided to send the document for ratification to special state ratifying conventions rather than the Confederation Congress or the state legislatures because they feared that these governments would not ratify a document that would limit or rescind their own power. They do not need to know the names of prominent Anti-Federalists such as Samuel Adams or Patrick Henry. They do not need to remember that John Jay, James Madison and Alexander Hamilton wrote *The Federalists Papers* under the pseudonym Publius during the debates over ratification in New York. They do not need to know the order of the ratification of the Constitution by the states nor that the new government was established even before Rhode Island had ratified.

**Assessment guidelines:**

Appropriate assessments may require that students be able to **summarize** the characteristics of the new government under the Constitution. They should be able to **explain** the economic crisis of the 1780s and the cause and effect relationship between the Massachusetts rebellion and the calling of the convention. The students need to be able **compare** the competing state interests and **explain and classify** the resulting compromises. They need to be able to **compare** the positions taken by the Federalists and the Anti-Federalists on the issue of ratification. They should also be able to **compare** the Federalists and Anti-Federalists of the ratification period with the Federalists and the Democratic-Republicans of the 1790s (USHC 2.6) and distinguish between the positions of all of these groups. Students should be able to **explain** the impact of *The Federalists Papers* and **infer** the relative importance of *The Federalists Papers* and the promise of the addition of a bill of rights to the Constitution in securing ratification. They should be able to **interpret** a short portion of a Federalist or Anti-Federalist position paper and identify the position that it supports.